



# DEPARTMENT OF TRANSPORTATION

## MATERIALS TRANSPORTATION BUREAU

WASHINGTON, D.C. 20590

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### Title 49—Transportation

#### CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-102; Amdt. No. 174-19]

#### PART 174—CARRIERS BY RAIL FREIGHT

##### Placarding of Tank Cars Containing Combustible Liquids

On January 24, 1974, the Hazardous Materials Regulations Board (the Board) published Amendment 174-19 (39 FR 2768) setting forth in Part 174 of the Department's Hazardous Materials Regulations certain new requirements pertaining to the placarding of tank cars and portable tanks (when transported by rail freight) containing combustible liquids. In response to petitions for reconsideration, Amendment No. 173-78A was published (40 FR 22263) on May 22, 1975, containing revisions to regulations published on January 24, 1974. In addition, this latter amendment and a subsequent publication on June 12, 1975 (40 FR 25024), extended the effective date of the new regulations, including those pertaining to the placarding of tank cars and portable tanks containing combustible liquids, to January 1, 1976. In each case, although immediate voluntary compliance was authorized with respect to other matters covered by the new regulations it was not authorized relative to the placarding of tank cars containing combustible liquids.

One portion of these new regulations which has generated concern is the requirement to placard tank cars containing combustible liquids with "Dangerous" placards. There are a number of operating requirements in Part 174 pertain-

ing to tank cars placarded "Dangerous" that are not intended to apply to tank cars containing combustible liquids. Until a distinctive "Dangerous" placard for combustible liquids is prescribed, implementation of this requirement could cause confusion. In consideration of the fact that an unnecessary burden could be imposed if the placarding requirements pertaining to combustible liquids transported by railroad become effective on January 1, 1976, and that action to establish distinctive "Dangerous" placards for tank cars containing combustible liquids will be taken by the Bureau in amendments to be published under Dockets HM-103 and HM-112, the Bureau believes that the compliance date of Amendment No. 174-19 should be deferred.

In consideration of the foregoing, the effective date for compliance with §§ 174.541 and 174.584 under Amendment No. 174-19 as they pertain to the documentation and placarding of cars containing combustible liquids is changed from January 1, 1976, to January 1, 1977. Use of "Dangerous" placards on cars containing materials classed combustible is not authorized until January 1, 1977, or such earlier date as the Bureau may designate in connection with regulations to be issued under Dockets HM-103 and HM-112.

**AUTHORITY:** (18 U.S.C. 831-835, 49 CFR 1.53(e)-(h).)

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